

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

Larry James Washington,

Petitioner

V.

Jo Gentry, et al.,

Respondents

2:17-cv-01589-JAD-NJK

Order Denying Motion to Strike

[ECF No. 33]

Pro se petitioner Larry Washington is an inmate at the Southern Desert Correctional Facility serving two life sentences for second-degree kidnapping while using a deadly weapon and a deadly weapon.¹ He petitions for a writ of habeas corpus under 28 U.S.C. § 2254,² and respondents move to dismiss it.³ He opposed their dismissal motion,⁴ they replied,⁵ and then he opposed it again.⁶ Respondents now move to strike Washington's successive response to their dismissal motion.⁷

Although Washington did not seek leave to file a successive response or surreply as required by the local rules, I recognize that Washington is representing himself and is serving life sentences. In the interest of justice, I relax the rules to ensure that Washington has had an

¹ NEV. DEP'T OF CORR. (Feb. 9, 2018) <http://doc.nv.gov/Inmates/Home/> (inmate search by name Larry Washington or offender ID 24573).

² ECF No. 6.

³ ECF No. 9.

⁴ ECF No. 22

⁵ ECE No. 29

6 ECE N- 21

7 ECEM 22

1 opportunity to present all of his arguments in opposition to the dismissal motion. I therefore
2 extend the same courtesy to respondents and grant them leave to reply to Washington's
3 additional arguments. I will not relax the rules this way again.

4 Accordingly, IT IS HEREBY ORDERED that respondents' motion to strike
5 Washington's surreply [ECF No. 33] is **DENIED**.

6 IT IS FURTHER ORDERED that **respondents have until March 8, 2018, to file a**
7 **REPLY to Washington's successive opposition.**

8 DATED: March 1, 2018.

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U.S. District Judge Jennifer A. Dorsey

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